

Robert G. Drummond
Chapter 13 Standing Trustee
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(Trustee)

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA

In re)	
)	No. 12-60891-13
MARK E. KUCERA,)	
)	
Debtor.)	

MOTION OF TRUSTEE TO CONVERT AND NOTICE

Pursuant to Rule 1017 and Mont. LBR 1017-1(a), the undersigned respectfully moves the Court to convert the above-entitled case to a case under Chapter 7. The grounds for this motion are as follows:

As evidenced by the estimated claim filed the Internal Revenue Service, the Debtor has failed to file all tax returns due through the year 2011 as required by 11 U.S.C. § 1308.

DATED this 28th day of June, 2012.

Chapter 13 Standing Trustee
P. O. Box 1829
Great Falls, MT 59403-1829

By/s/ Robert G. Drummond

Trustee

**NOTICE OF OPPORTUNITY TO RESPOND
AND REQUEST A HEARING**

If you object to the motion, you must file a written responsive pleading and request a hearing within fourteen (14) days of the date of the motion. The responding party shall schedule the hearing on the motion at least twenty-one (21) days after the date of the response and request for hearing and shall include in the caption of the responsive pleading in bold and conspicuous print the date, time and location of the hearing by inserting in the caption the following:

NOTICE OF HEARING

Date: _____

Time: _____

Location: _____

If no objections are timely filed, the Court may grant the relief requested as a failure to respond by any entity shall be deemed an admission that the relief requested should be granted.

DATED this 28th day of June, 2012.

Chapter 13 Standing Trustee
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Great Falls, Montana 59403-1829

By/s/ Robert G. Drummond
Trustee

CERTIFICATE OF MAILING

I, the undersigned, do hereby certify under penalty of perjury that a copy of the within and foregoing **MOTION OF TRUSTEE TO CONVERT AND NOTICE** was sent by first class mail postage prepaid on the 28th day of June, 2012, at Great Falls, Montana, and directed to the following:

Mark Kucera
3131 Radcliffe Drive
Billings, MT 59102

/s/ Tiffany Floerchinger
Tiffany Floerchinger